



Janet Napolitano
Governor

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

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Executive Director
Elaine LeTarte

December 22, 2003

Foster Timm McCarty, D.O.
7555 E. Osborn, Suite 104
Scottsdale AZ 85251

RE: Letter of Concern
License No. 0855, Case No. 3181M

Dear Dr. McCarty:

At their meeting on December 13, 2003, the Board of Osteopathic Examiners in Medicine and Surgery conducted an investigative hearing on the above-referenced complaint. That complaint alleged that you violated A.R.S. § 32-1854 (6), "Engaging in the practice of medicine in a manner that harms or may harm a patient or that the Board determines falls below the community standard."

Based on the information presented and your discussion with the Board, the Board found there was insufficient evidence to conclude that your conduct constituted unprofessional conduct or to support direct action against your license. However, the Board voted to issue you this advisory **LETTER OF CONCERN**. The Board believed your conduct was of concern in that, in this instance, you erred in not properly keeping records of a patient's sensitivity to known side effects of a medication and in prescribing that medication to the patient.

A Letter of Concern is a public document for five years from the date of issuance, and may be cited in future actions against your license. It is not a disciplinary action and is not reported to the National Practitioner Data Base.

Sincerely yours,

Elaine LeTarte
Executive Director